

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC. CIVIL APPLN.(CONTEMPT PETITION) No 155 of 1995

with

MISC. CIVIL APPLN.(CONTEMPT PETITION) No 155 of 1995

with

MISC. CIVIL APPLICATION No.234 of 1995

with

MISC.CIVIL APPLICATION No 200 of 1997

in

SPECIAL CIVIL APPLICATION No.1205 of 1978

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and Sd/-

MR.JUSTICE R.P.DHOLAKIA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

RATILAL GOVINDBHAI SONAVIA

Versus

R BALKRISHNAN OR HIS SUCCESSOR

Appearance:

1. Misc. Civil Appln.(Contempt Petition) No. 155 of 1995
MR BIPIN I MEHTA for Petitioners
(MR.MOHIT S SHAH) for Respondent No. 1
MR DN PATEL, ADDL GOVT PLEADER for Respondent No. 2
NOTICE SERVED for Respondent No. 3

2. Misc.Civil ApplicationNo 200 of 1997
MR BIPIN I MEHTA for Petitioners
(MR.MOHIT S SHAH) for Respondent No. 1
MR DN PATEL, ADDL GOVT PLEADER for Respondent No. 2
NOTICE SERVED for Respondent No. 3

3. Misc. Civil Appln.(Contempt Petition)No 155 of 1995
MR BIPIN I MEHTA for Petitioners
(MR.MOHIT S SHAH) for Respondent No. 1
MR DN PATEL, ADDL GOVT PLEADER for Respondent No. 2
NOTICE SERVED for Respondent No. 3

CORAM : MR.JUSTICE B.C.PATEL and
MR.JUSTICE R.P.DHOLAKIA

Date of decision: 18/03/98

ORAL JUDGEMENT (Per: B.C.Patel,J.)

After hearing learned counsel for the parties, the matters came to be adjourned and again today, the matters were heard. After hearing the matters, it clearly transpires that the decisions which are final, are of the Apex Court. Learned counsel appearing for the applicants could not point out that in view of the Apex Court decision, this Court will be able to take cognizance of the matters. He submitted by stating that in past, application was preferred before the Apex Court. However, Apex Court directed the High Court to decide the matter and in the same way, these applications can be decided.

2. It is contended that earlier, application was preferred before the Apex Court in view of the fact that the operative decision or the final decision is of the Apex Court. The decision of this Court has merged in the decision of the Apex Court.

3. Hence, these applications are not maintainable and therefore, stand rejected. Rule discharged.

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